

**Mission Bay Landfill
Technical Advisory Committee
City Administration Building
12th Floor Conference Room B
August 31, 2005
10:00am to 12:00pm**

Meeting Minutes

TAC Members Present

Donna Frye
David Kennedy, DDS
Barry Pulver

Frank Gormlie
Judy Swink
Brian McDaniel

Rebecca Lafreniere
David Huntley Ph.D.
Jeffrey Gordon, MD

TAC Members Absent

Bruce Reznik
John Wilks

Robert Tukey Ph.D.
Robert Curtis

Ben Leaf

Interested Parties/Alternates

Scott Andrews
Jace Miller
Tessa McRae
Ellen Lirley

Kathleen Blavatt
Mark Miller
Vicky Gallagher
Corrine Brindley

John Fields
George Murphy
Jeffrey Weissman
Terry Rodgers
Karen Hewmann

Staff

Steven Fontana
Chris Gonaver

Ray Purtee
John Lamb

Sylvia Castillo

Dr. Gordon distributed an article entitled “Manufacturing Uncertainty: Contested Science and the Protection of the Public’s Health and Environment.”

The meeting was called to order by Councilmember Frye. Self introductions were made. A quorum was present.

Approval of Minutes

July meeting minutes were reviewed and approved with no changes.

Site Assessment Report

As Tessa McRae of SCS Engineers handed out paper copies to TAC members of the draft report entitled “Environmental Site Assessment of the Mission Bay Landfill,” Councilmember Frye

recalled a brief history of the TAC: the purpose of the TAC was to put together a report on the landfill and potential impacts to human health, aquatic health, and the ecosystem. A consultant selection committee interviewed consultants and selected one that the group felt they had a voice in choosing. When decision points such as selecting locations for probes was reached, a subcommittee was formed. Councilmember Frye thanked those people participating in this project for attending and showing their dedication to the group. This has been one of the most democratic groups she's seen in the City. It's important to remember where we started from- with inaccurate data and no trust in the process.

The group was polled to see who wanted the report in a format other than a CD. Those attending today's meeting would be mailed a CD containing the report.

Tessa began reviewing the table of contents of the report, beginning with Section 1 Scope of Work/General Project Description, and ending with Section 13 Acronyms and Abbreviations. Appendices are on the CD in the back of the paper report.

She then reviewed the tables in the report. Smaller tables are distributed throughout the text, while larger tables are in a separate section entitled "Tables." She went over the larger tables beginning with Table 4.6 Landfill Gas Field Screening Results.

A question was asked when she got to Table 4.12. "What are CHHSL's?" Tessa replied that these are new numbers published by the State known as California Human Health Screening Levels. These are used to screen sites. All terms used in the tables are described in Section 1 and CHHSL's are described on Page 14 of Section 1.

Tessa pointed out that tables 4.14, 4.16, 4.18, and 4.20 all list three differing health parameters for comparison.

Councilmember Frye pointed out that on the right of Table 4.20, the health parameter "PHG" is described in footnote #6 as the Public Health Goal for drinking water. The next number is the Ocean Plan standard for oceans, and the third number is the Preliminary Remediation Goal (PRG) for tap water. As Mission Bay is neither tap water nor drinking water it's important to understand what numbers you are comparing to. These health parameters were included on these tables at the request of the TAC in part to address the precautionary principle by enabling comparisons above and beyond what this water body would otherwise be compared to.

Tessa continued to review the tables, briefly going over Tables 4.21, 4.22, and 4.23. Table 4.22 restates groundwater data collected by the City's consultant, EMCON. Table 4.23 compares EMCON's metals data (Column A) with that taken by SCS (Column B) using the clean hands/dirty hands sampling methods and ultra low laboratory detection analysis.

A question was asked "Are the discrepancies due to differing methods SCS used?" Tessa replied yes, the methods used by SCS were to negate the effects of salinity on the metals analysis. Another question was "What is the superscript "b" on the thallium results in column "A?" Councilmember Frye responded by saying that if time permits, questions will be responded to. The intent of today's meeting was to distribute the draft report and quickly go through it in order to facilitate everyone's review of it.

Tessa moved on to Table 4.24 and explained that drive points are simply hollow metal tubes driven into sediments so that water from the sediment can flow into the tube and be sampled.

After Table 6.1, Tessa said that Dr. Damian could review the remaining tables for the group and she moved on to the Figures.

Public Comment

Councilmember Frye reminded the group that the purpose of today's meeting is to make certain that people understand what the document presented is about. We will be meeting regularly on this and the document will not be final until the TAC says so. This could be another 6 to 8 months or even 2 to 3 years if needed.

There was a letter written by the Mission Bay Park Toxic Cleanup (MBPTC) which could be an agenda item for the next meeting to decide how to respond and what issues to address. Do members of the MBPTC wish to have the floor to discuss their letter? The answer was no, the issues they have to raise are in their letter.

Doctor Gordon pointed out that Section 6 Site Assessment Findings doesn't include comparison to standards. An example of this is page 101, Section 6.4.1 COPC's in Landfill Gas -Subsurface. He would expect the findings to say those levels found were compared to EPA standards and are at/above/below EPA standards. This is the same in all parts of Section 6 where there is no statement comparing the results to standards.

In answer, Tessa replied that for landfill gas [as in Section 6.4.1], test results were run thru the Health Risk Assessment. And perhaps "Findings" could be called something else, such as "Discussion." There are a lot of things for which there are no standards; perhaps what you are looking for is within the conclusions of the report. So to summarize your concern, you wish the findings to say whether there's a standard or not, and if so, how the results compare to the standard.

A remark was made that yes, another example of this is the statement in the report "thallium was not found." Tessa replied that COPC's are listed on Table 4.5. To which the reply was made that it seems that you have to work hard to get to what the data shows.

Tessa was asked that if she was in front of the media, could she give a 30 second "sound bite" on the report's results? Or if not, how about a broad statement? From the group a reply was made that as this is a draft document, it would be premature to make conclusions on the results. Tessa was then asked if instead she could summarize the results for the TAC?

Tessa pointed out that the biggest challenges found are in Section 11 Recommendations of the report:

- expand the methane monitoring probe network at the site and monitor utility vaults before entering them.
- place additional soil cover in the Eastern part of the landfill, the 35 acre parcel, but this is also an area where there may be sensitive biological habitat.
- continue groundwater monitoring but consider that SCS discovered two zones in the groundwater, a low salinity zone above a stagnant high salinity zone. Groundwater sampling pumps should be moved up into the low salinity zone.

A question was asked "So no affirmative statement that toxics are a health threat?" Tessa replied that is in Section 10.7 Human Health Risk Assessment, where the non cancer risk Hazard Index value exceeds 1 for construction workers exposed to mercury in the soil. The cancer risk is for

commercial workers exposed to arsenic in the soils. Since arsenic is present in background soils it's unlikely any agency would require cleanup of arsenic. Section 10.8 summarizes ecological affects. The primary goal was to collect data to run thru the risk assessments.

Barry Pulver asked "How is the group going to review this document; by sections?"

Councilmember Frye asked that Barry put a motion together, so Barry moved that we set up a schedule for each [TAC] meeting where individual sections would be reviewed, limited to those sections, and the SCS staff who are the experts for those particular sections would be present.

Dr. Huntley stated that until there's review of the soil and sampling results, it was premature to set up a review schedule. Also, he felt that we should skip the September 16 meeting because it's too soon after receiving this document for any meaningful review. After further discussion on this issue, Barry withdrew his motion and a new motion was made, to skip the September 16 meeting, and at the October 21 meeting discuss a schedule for reviewing the document. The motion passed unanimously.

James Miller reminded the group that a letter [from the MBPTC] requested an independent analysis and when will that occur? Answers included "you pay for it" and some resented that their presence on this panel wasn't considered an independent analysis. Councilmember Frye reminded everyone that there were prominent individuals on this panel who were donating their time and whose reputations should not be impugned.

James Miller asked if the two prominent scientists on this panel had analyzed toxic waste dump studies before? Answers were in the affirmative. Mr. Miller asked if the TAC or the City plan to address where did all the liquid wastes go that were mentioned in the Reader cover article five years ago? Tessa replied that probably tidal flushing and chemical breakdown greatly reduced the presence of these chemicals in the site, and this should be stated in the report.

Councilmember Frye stated that during the next six weeks we need a one way dialogue to funnel any questions on the report thru Ray Purtee to Tessa.

Dr. Gordon pointed out on page 136 that he would prefer to see some discussion on standards and comparison to standards. This would be in keeping with the precautionary principle that standards do change. Councilmember Frye asked Dr. Gordon to focus on the precautionary principle while reviewing the report and compiling his comments.

Dr. Gordon pointed out that on page 140 this report says that mercury in the soil is an issue and why hasn't the issue of mercury been discussed before? Tessa replied that these mercury levels came from the Woodward Clyde report and were used in the Health Risk Assessment(HRA); usually data only less than five years old is used in HRA's. The data collected by SCS didn't repeat the high levels discovered by Woodward Clyde.

A question was asked "Then where did the mercury go?" Tessa replied that it is probably still in place, in the locations where Woodward Clyde found it 20 years ago. However, SCS's sampling didn't find levels comparable to these.

A statement was made that the word "miracle" should apply to this site as it went from an EPA "dangerous" site category to a benign place where model airplanes are flown.

A question was asked “Will the TAC eventually endorse this report; is that the plan?” The answer was yes, eventually.

Dr. Gordon reminded the group that a goal of the TAC was to collect data not influenced by politics or commercial interests. He thanked SCS for their integrity and independence and congratulated them for a job well done.

Terry Rodgers asked “Is there anything in this report that poses an immediate threat to the public such that an area should be cordoned off?” Tessa replied “No.” He went on to ask “Is the landfill leaking?” Tessa replied that water is flowing thru the landfill and some constituents are present in the water. The landfill cover is slowing down gas emissions to safe levels.

Questions were asked “Could anyone estimate costs to implement the recommendations? Millions or thousands?” “Since no digging is recommended for the site, what are appropriate public uses for the site?” The consensus was that since this is not a final document, it’s too early to draw conclusions and answer these questions. Also, the report has just been distributed at this meeting and hasn’t been reviewed yet.

A question was asked “Are there any public uses based on this report that should be stopped?” Chris Gonaver answered “No.”

“But what about proposed construction projects; can they be built?” Discussion ensued and Judy Swink pointed out that the Mission Bay Park Master Plan shows passive recreational uses for the landfill. The 35 acres to the East is combined with the lot north of it for fringe parking for beach access. There is a proposed Mission Bay Boat and Ski Club building adjacent to the landfill near the South Shores boat launch ramp. Rebecca Lafreniere stated that there are regulations governing building projects at or near landfills. It isn’t correct to say that landfill cover could not be disturbed as engineering controls could be used. Sylvia Castillo pointed out that the final document will be reviewed by State and Federal regulators who could be invited to attend a future meeting.

Donna Frye closed out the meeting and reminded everyone that the next meeting is October 21 as the September meeting is cancelled.

Future Meetings

- Friday, Oct 21, 2005
- Friday, Nov 18, 2005
- Friday, Dec 9, 2005